Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 1 of 46

B1 (Official	Form 1)(1/	08)				oamon		ago ± o				
			United No			ruptcy of Illino		t			Vo	luntary Petition
	ebtor (if ind Charles		er Last, First	, Middle):				Name of Joint Debtor (Spouse) (Last, First, Middle):  Toland, Karen				
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):  AKA Chuck Toland						All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):						
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)  xxx-xx-4774						four digits or than one, s	state all)	r Individual-	Taxpayer l	I.D. (ITIN) No./Complete EIN		
	nn Marie I	*	Street, City,	and State)	):	ZIP Code	Stree 5:	t Address of	f Joint Debtor Marie Lane	•	reet, City,	and State):  ZIP Code
County of R	Residence or	of the Prin	cipal Place o	of Busines		60452		County of Residence or of the Principal Place of Business:  Cook				
Mailing Add	dress of Deb	otor (if diffe	rent from str	eet addres	ss):		Mail	Mailing Address of Joint Debtor (if different from street address):				
					Г	ZIP Code	:					ZIP Code
	Principal A from street		siness Debtorove):	r	<u>'</u>		•					
Type of Debtor (Form of Organization) (Check one box)  Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.  □ Corporation (includes LLC and LLP) □ Partnership □ Other (If debtor is not one of the above entities, check this box and state type of entity below.)			☐ Sing in 1 ☐ Rail ☐ Stool ☐ Con ☐ Clea	(Checl lth Care Bu gle Asset Ro 1 U.S.C. § Iroad ckbroker nmodity Br aring Bank er  Tax-Exe (Check bo) otor is a tax-	eal Estate as 101 (51B)	s defined	Chapter 11 of a Foreign Main Proceeding  Chapter 12 Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  Nature of Debts (Check one box)  Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as business debts.			k one box)  Petition for Recognition Main Proceeding  Petition for Recognition Nonmain Proceeding  Debts are primarily		
		_	ee (Check or	Cod		nal Revenu	e Code).	a perso k one box:	onal, family, or	household pur Chapter 11	prose."  Debtors	
<ul> <li>■ Full Filing Fee attached</li> <li>□ Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.</li> <li>□ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.</li> </ul>				tor Chec	Debtor is k if: Debtor's to insider k all applica A plan is Acceptan	not a small b aggregate nor s or affiliates) able boxes: being filed w ces of the pla	ncontingent l are less that tith this petition were solici	or as defin	n 11 U.S.C. § 101(51D). ed in 11 U.S.C. § 101(51D). debts (excluding debts owed 00.  ition from one or more S.C. § 1126(b).			
☐ Debtor 6	estimates tha	at funds will at, after any	ation  I be available exempt prop for distribut	erty is ex	cluded and	administrat		ses paid,		THIS	S SPACE IS	FOR COURT USE ONLY
Estimated N	Number of C  50- 99	reditors  100- 199	□ 200- 999	1,000- 5,000	5,001- 10,000	10,001- 25,000	□ 25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated A	Assets  \$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,00 to \$500 million	5500,000,000 to \$1 billion				
Estimated L  \$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,00 to \$500 million	1 \$500,000,000 to \$1 billion				

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 2 of 46

B1 (Official For	m 1)(1/08)	Page 2 01 46	Page 2	
Voluntar	y Petition	Name of Debtor(s): Toland, Charles P		
(This page mu	st be completed and filed in every case)	Toland, Karen		
	All Prior Bankruptcy Cases Filed Within Last	t 8 Years (If more than two, attach ac	dditional sheet)	
Location Where Filed:	- None -	Case Number:	Date Filed:	
Location Where Filed:		Case Number:	Date Filed:	
Pe	nding Bankruptcy Case Filed by any Spouse, Partner, or	Affiliate of this Debtor (If more tha	n one, attach additional sheet)	
Name of Debt - None -	or:	Case Number:	Date Filed:	
District:		Relationship:	Judge:	
	Exhibit A		whibit B	
forms 10K a pursuant to S and is reques	oleted if debtor is required to file periodic reports (e.g., and 10Q) with the Securities and Exchange Commission Section 13 or 15(d) of the Securities Exchange Act of 1934 sting relief under chapter 11.)  A is attached and made a part of this petition.	(To be completed if debtor is an individual whose debts are primarily consumer debts.)  I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).  X /s/ Robert R. Benjamin October 29, 2009		
		Signature of Attorney for Debtor(s  Robert R. Benjamin 0170		
	Exh	I iibit C		
l	or own or have possession of any property that poses or is alleged to Exhibit C is attached and made a part of this petition.	pose a threat of imminent and identifiable	e harm to public health or safety?	
	Exh	aibit D		
_	leted by every individual debtor. If a joint petition is filed, ea	-	a separate Exhibit D.)	
Exhibit  If this is a joi	D completed and signed by the debtor is attached and made	a part of this petition.		
_	D also completed and signed by the joint debtor is attached a	and made a part of this petition.		
	Information Regardin	_		
_	(Check any ap Debtor has been domiciled or has had a residence, princip		ste in this District for 180	
-	days immediately preceding the date of this petition or for			
	There is a bankruptcy case concerning debtor's affiliate, go			
	Debtor is a debtor in a foreign proceeding and has its princ this District, or has no principal place of business or assets proceeding [in a federal or state court] in this District, or the sought in this District.	s in the United States but is a defenda	int in an action or	
	Certification by a Debtor Who Reside (Check all app		rty	
	Landlord has a judgment against the debtor for possession		, complete the following.)	
	(Name of landlord that obtained judgment)			
	(Address of landlord)			
	Debtor claims that under applicable nonbankruptcy law, the entire monetary default that gave rise to the judgment			
	Debtor has included in this petition the deposit with the coafter the filing of the petition.		•	
	Debtor certifies that he/she has served the Landlord with the	his certification. (11 U.S.C. § 362(l)).		

## B1 (Official Form 1)(1/08)

## **Voluntary Petition**

(This page must be completed and filed in every case)

## Toland, Karen

#### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

### X /s/ Charles P Toland

Signature of Debtor Charles P Toland

#### X /s/ Karen Toland

Signature of Joint Debtor Karen Toland

Telephone Number (If not represented by attorney)

#### October 29, 2009

Date

### Signature of Attorney\*

#### X /s/ Robert R. Benjamin

Signature of Attorney for Debtor(s)

#### Robert R. Benjamin 0170429

Printed Name of Attorney for Debtor(s)

#### Querrey & Harrow, Ltd.

Firm Name

175 W. Jackson Boulevard, Suite 1600 Chicago, IL 60604

Address

Email: rbenjamin@querrey.com

(312)540-7000 Fax: (312)540-0578

Telephone Number

## October 29, 2009

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

#### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

## Signature of a Foreign Representative

Page 3

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

Name of Debtor(s):

Toland, Charles P

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

## Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

 $\mathbf{X}$ 

Date

Address

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 4 of 46

B 1D(Official Form 1, Exhibit D) (12/08)

## United States Bankruptcy Court Northern District of Illinois

In re	Charles P Toland Karen Toland		Case No.	
		Debtor(s)	Chapter	7
			•	

## EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.] \_\_\_\_

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

# Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 5 of 46

B 1D(Official Form 1, Exhibit D) (12/08) - Cont.
☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable
statement.] [Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or
through the Internet.);
☐ Active military duty in a military combat zone.
□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling
requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: /s/ Charles P Toland Charles P Toland
Date: October 29, 2009

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 6 of 46

B 1D(Official Form 1, Exhibit D) (12/08)

# **United States Bankruptcy Court Northern District of Illinois**

In re	Charles P Toland Karen Toland		Case No.	
		Debtor(s)	Chapter	7
			•	

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.] \_\_\_\_

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

# Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 7 of 46

B 1D(Official Form 1, Exhibit D) (12/08) - Cont.
☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable
statement.] [Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, o
through the Internet.);
☐ Active military duty in a military combat zone.
□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling
requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: /s/ Karen Toland Karen Toland
Date: October 29, 2009

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 8 of 46

B6 Summary (Official Form 6 - Summary) (12/07)

# **United States Bankruptcy Court Northern District of Illinois**

In re	Charles P Toland,		Case No.		
	Karen Toland				
-		Debtors	Chapter	7	

## **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	260,000.00		
B - Personal Property	Yes	4	116,402.64		
C - Property Claimed as Exempt	Yes	2			
D - Creditors Holding Secured Claims	Yes	1		344,609.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	2		3,987.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	5		105,048.14	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			4,424.00
J - Current Expenditures of Individual Debtor(s)	Yes	1			4,768.00
Total Number of Sheets of ALL Schedu	ıles	19			
	T	otal Assets	376,402.64		
			Total Liabilities	453,644.14	

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 9 of 46

Form 6 - Statistical Summary (12/07)

# **United States Bankruptcy Court Northern District of Illinois**

In re	Charles P Toland,		Case No.		
	Karen Toland				
_		Debtors	Chapter	7	

## STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C.§ 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	3,987.00
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	0.00
Student Loan Obligations (from Schedule F)	0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	0.00
TOTAL	3,987.00

#### State the following:

Average Income (from Schedule I, Line 16)	4,424.00
Average Expenses (from Schedule J, Line 18)	4,768.00
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	7,323.00

#### State the following:

Total from Schedule D, "UNSECURED PORTION, IF ANY" column		70,134.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	3,987.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		0.00
4. Total from Schedule F		105,048.14
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		175,182.14

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 10 of 46

B6A (Official Form 6A) (12/07)

In re	Charles P Toland,	Case No.
	Karen Toland	

#### Debtors

## **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

single family dwelling 5570 Ann Marie Lane Oak Forest, IL 60452	Joint tenancy	J	260,000.00	293,709.00
Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim

Sub-Total > 260,000.00 (Total of this page)

260,000.00 Total >

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 11 of 46

B6B (Official Form 6B) (12/07)

In re	Charles P Toland,	Case No.
_	Karen Toland	

**Debtors** 

### SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

	Type of Property	N O N E	Description and Location of Propert	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property without Deducting any Secured Claim or Exemption
1.	Cash on hand	X			
2.		In	Bank checking	н	25.00
	accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and	Ha	arris checking	J	100.00
	homestead associations, or credit unions, brokerage houses, or	T	CF Checking	J	0.00
	cooperatives.	T	CF Savings	J	100.00
		Ca	anals & Trails C.U.	W	202.00
3.	Security deposits with public utilities, telephone companies, landlords, and others.	X			
4.	Household goods and furnishings, including audio, video, and computer equipment.	Н	ousehold goods and furnishings	J	5,000.00
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6.	Wearing apparel.	w	earing apparel	J	500.00
7.	Furs and jewelry.	Eı	ngagement ring	J	1,000.00
8.	Firearms and sports, photographic, and other hobby equipment.	X			
9.	Interests in insurance policies.	Kı	nights of Columbus \$250,000 term	н	0.00
	Name insurance company of each policy and itemize surrender or refund value of each.	C	ountry Life Insurance \$50,000 whole life	н	2,500.00
	refund value of each.	Pe	ekin Life Insurance \$30,000 whole life	н	1,500.00
		Al	llstate Insurance \$5,000 whole life	н	400.00
				Sub-Tot (Total of this page)	al > 11,327.00

**<sup>3</sup>** continuation sheets attached to the Schedule of Personal Property

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 12 of 46

 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

In re	Charles P Toland,	
	Karen Toland	

### Debtors

## **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
			Knights of Columbus \$50,000 term	W	606.00
			Country Life Insurance \$40,000 whole life	w	87.00
			Pekin Life Insurance \$50,000 whole life	w	3,830.00
10.	Annuities. Itemize and name each issuer.	X			
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
12.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing		CT&T Cust Simple IRA (American Funds)	Н	42,843.00
	plans. Give particulars.		IRA FBO Charles P. Toland Pershins LLC as Custodian	Н	15,975.40
			Teacher's Retirement System	w	27,157.24
13.	Stock and interests in incorporated and unincorporated businesses. Itemize.		The Money Shop, Inc. (1/3 interest)	J	100.00
14.	Interests in partnerships or joint ventures. Itemize.	X			
15.	Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16.	Accounts receivable.	X			
17.	Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18.	Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			

Sub-Total > (Total of this page)

90,598.64

Sheet <u>1</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 13 of 46

 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

In re	Charles P Toland,	
	Karen Toland	

## Debtors

## **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
19. Equitable or future interests, l estates, and rights or powers exercisable for the benefit of debtor other than those listed Schedule A - Real Property.	the			
20. Contingent and noncontingen interests in estate of a decede death benefit plan, life insurar policy, or trust.	nt,			
21. Other contingent and unliquid claims of every nature, includ tax refunds, counterclaims of debtor, and rights to setoff cla Give estimated value of each.	ing the iims.			
22. Patents, copyrights, and other intellectual property. Give particulars.	X			
23. Licenses, franchises, and other	er Illinois	Mortgage Brokers License	н	1.00
general intangibles. Give particulars.	Type :	B Elementary Education State of Illinois	W	1.00
24. Customer lists or other compicontaining personally identification (as defined in 11 § 101(41A)) provided to the cuby individuals in connection obtaining a product or service the debtor primarily for personal family, or household purposes.	able U.S.C. lebtor with e from nal,			
25. Automobiles, trucks, trailers,		Oodge Journey	н	14,475.00
other vehicles and accessories		Breckenridge trailer	J	0.00
26. Boats, motors, and accessorie	s. <b>X</b>			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings supplies.	s, and X			
29. Machinery, fixtures, equipme supplies used in business.	nt, and X			
30. Inventory.	x			
		Т)	Sub-Total of this page)	al > <b>14,477.00</b>

Sheet <u>2</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 14 of 46

 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

In re	Charles P Toland,
	Karen Toland

Case No.	
Cube 110.	

#### Debtors

## **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
31. Animals.	Х			
32. Crops - growing or harvested. Give particulars.	X			
33. Farming equipment and implements.	X			
34. Farm supplies, chemicals, and feed.	X			
35. Other personal property of any kind not already listed. Itemize.	X			

Sub-Total > (Total of this page)

Total > 116,402.64

Sheet <u>3</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

(Report also on Summary of Schedules)

0.00

B6C (Official Form 6C) (12/07)

In re	Charles P Toland,
	Karen Toland

Debtors

## SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled under:	Check if debtor claims a homestead exemption that exceeds
(Check one box)	\$136,875.

☐ 11 U.S.C. §522(b)(2) ☐ 11 U.S.C. §522(b)(3)

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
Real Property single family dwelling 5570 Ann Marie Lane Oak Forest, IL 60452	735 ILCS 5/12-901	30,000.00	260,000.00
Checking, Savings, or Other Financial Accounts In Bank checking	, Certificates of Deposit 735 ILCS 5/12-1001(b)	25.00	25.00
Harris checking	735 ILCS 5/12-1001(b)	100.00	100.00
TCF Checking	735 ILCS 5/12-1001(b)	0.00	0.00
TCF Savings	735 ILCS 5/12-1001(b)	100.00	100.00
Canals & Trails C.U.	735 ILCS 5/12-1001(b)	202.00	202.00
Household Goods and Furnishings Household goods and furnishings	735 ILCS 5/12-1001(b)	5,000.00	5,000.00
Wearing Apparel Wearing apparel	735 ILCS 5/12-1001(a)	500.00	500.00
Furs and Jewelry Engagement ring	735 ILCS 5/12-1001(b)	1,000.00	1,000.00
Interests in Insurance Policies Knights of Columbus \$250,000 term	735 ILCS 5/12-1001(f)	0.00	0.00
Country Life Insurance \$50,000 whole life	735 ILCS 5/12-1001(f)	2,500.00	2,500.00
Pekin Life Insurance \$30,000 whole life	735 ILCS 5/12-1001(f)	1,500.00	1,500.00
Allstate Insurance \$5,000 whole life	735 ILCS 5/12-1001(f)	400.00	400.00
Knights of Columbus \$50,000 term	735 ILCS 5/12-1001(f)	606.00	606.00
Country Life Insurance \$40,000 whole life	735 ILCS 5/12-1001(f)	87.00	87.00
Pekin Life Insurance \$50,000 whole life	735 ILCS 5/12-1001(f)	3,830.00	3,830.00
Interests in IRA, ERISA, Keogh, or Other Pension CT&T Cust Simple IRA (American Funds)	n or Profit Sharing Plans 735 ILCS 5/12-1006	42,843.00	42,843.00
IRA FBO Charles P. Toland Pershins LLC as Custodian	735 ILCS 5/12-1006	15,975.40	15,975.40
Teacher's Retirement System	735 ILCS 5/12-1006	27,157.24	27,157.24

\_\_\_\_\_ continuation sheets attached to Schedule of Property Claimed as Exempt

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 16 of 46

**B6C** (Official Form 6C) (12/07) -- Cont.

In re	Charles P Toland,	Case No.
	Karen Toland	

Debtors

## SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

(Continuation Sheet)

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption	
Stock and Interests in Businesses The Money Shop, Inc. (1/3 interest)	735 ILCS 5/12-1001(b) 735 ILCS 5/12-1001(b)	0.00 100.00		
Automobiles, Trucks, Trailers, and Other Vehicles 2009 Dodge Journey	735 ILCS 5/12-1001(c)	2,400.00	14,475.00	

Total: 134,325.64 376,400.64

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 17 of 46

B6D (Official Form 6D) (12/07)

In re	Charles P Toland,
	Karen Toland

Debtors

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Unliquidated". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

	-	_		1 - 1			-	
CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Hu W J C	sband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED,  NATURE OF LIEN, AND  DESCRIPTION AND VALUE  OF PROPERTY  SUBJECT TO LIEN	COZH _ ZG   Z	ロエー ローロターレスロ	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. 8710028423	1		security interest in 2004 Breckenridge		E			
Associated Bank 1305 Main Street Stevens Point, WI 54481		J	Value \$ 0.00		x	x	30,000.00	30,000.00
Account No. <b>1766466069</b>	╁	-	1st mortgage	H			30,000.00	30,000.00
Chase Home Finance PO Box 78420 Phoenix, AZ 85062		J	5570 Ann Marie Lane Oak Forest, IL 60452					
			Value \$ 260,000.00				293,709.00	33,709.00
Account No. 9901636560			2009 Dodge Journey					
Harris, N.A. PO Box 6201 Carol Stream, IL 60197		J	Value \$ 14,475.00				20,900.00	6,425.00
Account No.	T		,				,	,
			Value \$					
continuation sheets attached			(Total of t	Subt his p			344,609.00	70,134.00
			(Report on Summary of So		ota ule		344,609.00	70,134.00

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Page 18 of 46 Document

B6E (Official Form 6E) (12/07)

•			
In re	Charles P Toland,	Case No.	
	Karen Toland		
_		Debtors	

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules. Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data. Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E. TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets) ☐ Domestic support obligations Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1). ☐ Extensions of credit in an involuntary case Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3). ☐ Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4). ☐ Contributions to employee benefit plans Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5). ☐ Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6). ☐ Deposits by individuals Claims of individuals up to \$2,425\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7). ■ Taxes and certain other debts owed to governmental units Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8). ☐ Commitments to maintain the capital of an insured depository institution Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9). ☐ Claims for death or personal injury while debtor was intoxicated Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

<sup>\*</sup> Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 19 of 46

B6E (Official Form 6E) (12/07) - Cont.

In re	Charles P Toland,		Case No.	
	Karen Toland			
•		Debtors	,	

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

(Continuation Sheet)

Taxes and Certain Other Debts
Owed to Governmental Units

TYPE OF PRIORITY CODEBTOR Husband, Wife, Joint, or Community AMOUNT NOT ENTITLED TO PRIORITY, IF ANY CREDITOR'S NAME, NL I QUI DATED ONTINGENT SPUTED AND MAILING ADDRESS Н DATE CLAIM WAS INCURRED **AMOUNT** W INCLUDING ZIP CODE, AND CONSIDERATION FOR CLAIM OF CLAIM C AMOUNT ENTITLED TO PRIORITY AND ACCOUNT NUMBER (See instructions.) 2007 income taxes Account No. Internal Revenue Service 0.00 **Department of the Treasury** PO Box 9012 J Holtsville, NY 11742 3,987.00 3,987.00 Account No. Account No. Account No. Account No. Subtotal 0.00 Sheet <u>1</u> of <u>1</u> continuation sheets attached to (Total of this page) Schedule of Creditors Holding Unsecured Priority Claims 3,987.00 3,987.00 0.00 (Report on Summary of Schedules) 3,987.00 3,987.00 Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 20 of 46

B6F (Official Form 6F) (12/07)

In re	Charles P Toland, Karen Toland		Case No.	
	Tallon Folding	Debtors	,	

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS	COD	Н	usband, Wife, Joint, or Community		C O N	U N L	D I S	
INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	C A M		М	T I N G E N	UNLIQUIDAT	ISPUTED	AMOUNT OF CLAIM
Account No. 3737-048603-44007			Goods and services		Т	T E D		
American Express Customer Service PO Box 981535 El Paso, TX 79998-1535		J				<u> </u>		799.72
Account No. 3772-623859-91006		+	Goods and services					
American Express Customer Service PO Box 981535 El Paso, TX 79998-1535		J						5,087.36
Account No. 3713-357761-61003  American Express Customer Service PO Box 981535 EI Paso, TX 79998-1535		J	Goods and services					
E11 a30, 1X 73330-1333								649.71
Account No. 5178-0572-6393-5574  Capital One PO Box 30285 Salt Lake City, UT 84130-0285		J	Goods and services					
								1,431.06
4 continuation sheets attached	_	1	, (To	Su al of thi				7,967.85

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 21 of 46

B6F (Official Form 6F) (12/07) - Cont.

In re	Charles P Toland,	Case No.
	Karen Toland	

CREDITOR'S NAME,	C	Hu	sband, Wife, Joint, or Community	C	U	D	
MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	C A M	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	NTINGEN	UNLIQUIDAT	S P U T E D	AMOUNT OF CLAIM
Account No. 5178-0525-6915-6710			Goods and services	٦т	T E D		
Capital One PO Box 30285 Salt Lake City, UT 84130-0285		J					3,463.57
Account No. <b>5178-0572-3313-7665</b>	t	H	Goods and services	$^{+}$		H	
Capital One PO Box 30285 Salt Lake City, UT 84130-0285		J					720.09
Account No. <b>4227-6510-2561-3679</b>			BP - goods and services				
Cardmember Service PO Box 15298 Wilmington, DE 19850-5298		J					242.96
Account No. <b>4147-2020-1174-1988</b>	╁		Chase - goods and services	+	-		313.86
Cardmember Service PO Box 15298 Wilmington, DE 19850-5298		J					
Account No. <b>4266-8412-1164-0394</b>	+		United Mileage Plus - Goods and services	+			4,138.52
Cardmember Service PO Box 15298 Wilmington, DE 19850-5298		J					
							8,359.89
Sheet no. <u>1</u> of <u>4</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims			(Total of	Sub this			16,995.93

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Page 22 of 46 Document

B6F (Official Form 6F) (12/07) - Cont.

In re	Charles P Toland,	Case No.	
	Karen Toland		

CDEDITORIC NAME	С	Нι	usband, Wife, Joint, or Community	С	U	T	D	
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)  Account No. 4266-9010-2466-8634	C O D E B T O R	C H	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	l'a	) <b> </b> [	P U T E	AMOUNT OF CLAIM
Account No. 4200-9010-2400-8034	ł		Disney Rewards - goods and services	'	Ė	,		
Cardmember Service PO Box 15298 Wilmington, DE 19850-5298		J						3,925.77
Account No. 5466-1602-0236-5910			Goods and services					
Citi Cards P.O. Box 6000 The Lakes, NV 89163-6000		J						2,695.98
	╀	_		_	╄	$\downarrow$	4	2,093.90
Account No. 5424-1808-5032-3384  Citi Cards P.O. Box 6000 The Lakes, NV 89163-6000		J	Goods and services					17,469.21
Account No. ending in 3900			Goods and services		Г	T	T	
Discover Card P.O. Box 30421 Salt Lake City, UT 84130-0421		J						3,328.45
Account No.	t	t	Goods and services	1	+	$\dagger$	+	
Exxon Mobile Processing Center Des Moines, IA 50361		Н						589.80
Sheet no. 2 of 4 sheets attached to Schedule of				Sub	tota	al	7	29 000 24
Creditors Holding Unsecured Nonpriority Claims			(Total of t	his	paş	ge	;) [	28,009.21

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Page 23 of 46 Document

 $B6F\ (Official\ Form\ 6F)\ (12/07)$  - Cont.

In re	Charles P Toland,	Case No.	
	Karen Toland		

CREDITORIC NAME	С	Hu	sband, Wife, Joint, or Community	CO	U	D	
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	C A A	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	ONTINGEN	LIQUI	U T E	AMOUNT OF CLAIM
Account No.			Fees for services in removing 2004	] T	D A T E D		
Forrest Stuart Burki Burki's Home Improvements 1266 Winston Drive, Apt. 6 Edgerton, WI 53534		J	Breckenridge and storage				2,000.00
Account No. <b>5466-8010-3971-4990</b>	t		Goods and services	$\dagger$			
GE Money Bank Attn: Bankruptcy Department PO Box 103104 Roswell, GA 30076		J					4,664.81
Account No. <b>5441121913</b>			Unsecured line of credit	+		H	
Harris, N.A. PO Box 6201 Carol Stream, IL 60197-6201		J					8,067.93
Account No. 412216-16-210830-6			Unsecured line of credit	+			0,007.33
HFC Customer Service PO Box 3425 Buffalo, NY 14240-9733		J					
Account No. <b>5458-0037-2091-6816</b>	-		Direct Merchant's Bank - goods and services	+			13,402.54
HSBC Card Services PO Box 17313 Baltimore, MD 21297-1313	1	J					
					L		11,215.06
Sheet no. <u>3</u> of <u>4</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims			(Total of t	Subt			39,350.34

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Page 24 of 46 Document

 $B6F\ (Official\ Form\ 6F)\ (12/07)$  - Cont.

In re	Charles P Toland,	Case No.	
	Karen Toland		

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)  Account No. 5440-4550-3462-1642  HSBC Card Services PO Box 80084 Salinas, CA 93912-0084	CODEBTOR	Hu H W J C	CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.  Goods and services	CONTINGENT	QU	ľ		AMOUNT OF CLAIM
Account No.  Nelnet Inc. PO Box 2970 Omaha, NE 68103		w	Student loan					12,069.00
Account No.								
Account No.								
Account No.								
Sheet no. <u>4</u> of <u>4</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims			(Total of	Sub this				12,724.81
			(Report on Summary of So		Γot dul		,	105,048.14

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 25 of 46

B6G (Official Form 6G) (12/07)

In re	Charles P Toland,	Case No.
	Karen Toland	

Debtors

## SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

■ Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract

Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract. Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 26 of 46

B6H (Official Form 6H) (12/07)

In re	Charles P Toland,	Case No.
	Karen Toland	

Debtors

## **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

NAME AND ADDRESS OF CREDITOR

Copyright (c) 1996-2009 - Best Case Solutions - Evanston, IL - (800) 492-8037

# Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 27 of 46

**B6I (Official Form 6I) (12/07)** 

	Charles P Toland			
In re	Karen Toland		Case No.	
		Debtor(s)	_	

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Sta	tus.	DEPENDE	NTS OF DEBTOR	AND SPO	USE		
Deotor's martial sta		ATIONSHIP(S):	Α	GE(S):			
Married		Son		4			ļ
		Daughter		9			
Employment:		DEBTOR			SPOUSE		
Occupation	banke		teache				
Name of Employer		oney Shop			District 33c		
How long employed			2 years				
Address of Employe		College Drive		Bell Road			
	Suite '		Homer	Glen, IL	60491		
INCOME: (E-time)		Heights, IL 60463		1	DEDTOD		CDOLICE
		d monthly income at time case filed)		\$	DEBTOR	¢	SPOUSE <b>4,239.00</b>
		ssions (Prorate if not paid monthly)		ş	500.00 0.00	\$ <u></u>	4,239.00 0.00
2. Estimate monthly	overtime			<b>э</b>	0.00	<u>э</u>	0.00
				Φ.	500.00	Φ.	4,239.00
3. SUBTOTAL				\$	500.00	\$	4,239.00
4. LESS PAYROLL				_			
•	s and social security			\$	38.00	\$	482.00
b. Insurance				\$	50.00	\$	203.00
c. Union dues				\$	0.00	\$	61.00
d. Other (Spec	eify):			\$	0.00	\$	0.00
				\$	0.00	\$	0.00
5. SUBTOTAL OF	PAYROLL DEDUCTION	ONS		\$	88.00	\$	746.00
	ONTHLY TAKE HOMI			\$	412.00	\$	3,493.00
				<u> </u>		<del>-</del> -	
		ss or profession or farm (Attach detailed	statement)	\$	0.00	\$	0.00
8. Income from real				\$	0.00	\$	0.00
9. Interest and divid				\$	0.00	\$	0.00
•	11 1	ents payable to the debtor for the debtor'	s use or that of	¢	0.00	¢.	0.00
dependents list		_		<b>3</b>	0.00	<b>э</b>	0.00
(Specify):	or government assistance	2		•	0.00	\$	0.00
(Specify).				ф —	0.00	ф —	0.00
12. Pension or retire	mont income			<u> </u>	0.00	¢ —	0.00
13. Other monthly in				Φ	0.00	Ψ	0.00
•	City of Oak Forest			\$	519.00	\$	0.00
(Specify).	only 0. Can 1 0.001		-	<u> </u>	0.00	\$ <del></del>	0.00
-				Ψ	0.00	Ψ	0.00
14 SHRTOTAL OF	F LINES 7 THROUGH	13		\$	519.00	\$	0.00
				\$	931.00		3,493.00
15. AVERAGE MO	ONTHLY INCOME (Ad	d amounts shown on lines 6 and 14)		<b>a</b> —			•
16. COMBINED A	VERAGE MONTHLY	INCOME: (Combine column totals from	line 15)		\$	4,424.	UU

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 28 of 46

B6J (Official Form 6J) (12/07)

	Charles P Toland			
In re	Karen Toland		Case No.	
		Debtor(s)		

## SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.	The averag	
expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22	2C.	
☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Comple expenditures labeled "Spouse."	ete a separat	e schedule of
1. Rent or home mortgage payment (include lot rented for mobile home)	\$	2,173.00
a. Are real estate taxes included? Yes X No		
b. Is property insurance included? Yes X No		
2. Utilities: a. Electricity and heating fuel	\$	360.00
b. Water and sewer	\$	17.00
c. Telephone d. Other <b>Basic cable</b>	\$ \$	100.00 98.00
3. Home maintenance (repairs and upkeep)	\$ \$	100.00
4. Food	\$	600.00
5. Clothing	\$	200.00
6. Laundry and dry cleaning	\$	25.00
7. Medical and dental expenses	\$	50.00
8. Transportation (not including car payments)	\$	300.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	0.00
10. Charitable contributions	\$	0.00
11. Insurance (not deducted from wages or included in home mortgage payments)		
a. Homeowner's or renter's	\$	0.00
b. Life	\$	0.00
c. Health	\$	0.00 58.00
d. Auto e. Other	\$ \$	0.00
12. Taxes (not deducted from wages or included in home mortgage payments)	Ψ	0.00
(Specify)	\$	0.00
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)	Ψ	
a. Auto	\$	487.00
b. Other	\$	0.00
c. Other	\$	0.00
14. Alimony, maintenance, and support paid to others	\$	0.00
15. Payments for support of additional dependents not living at your home	\$	0.00
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	0.00
17. Other Child care	\$	200.00
Other	\$	0.00
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	\$	4,768.00
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year		
following the filing of this document:		
20. STATEMENT OF MONTHLY NET INCOME	-	
a. Average monthly income from Line 15 of Schedule I	\$	4,424.00
b. Average monthly expenses from Line 18 above	\$	4,768.00
c. Monthly net income (a. minus b.)	\$	-344.00

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 29 of 46

B6 Declaration (Official Form 6 - Declaration). (12/07)

# **United States Bankruptcy Court Northern District of Illinois**

In re	Charles P Toland Karen Toland		Case No.	
		Debtor(s)	Chapter	7
			-	

## DECLARATION CONCERNING DEBTOR'S SCHEDULES

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

	- · · · · · · · · · · · · · · · · · · ·	•	ad the foregoing summary and schedules, consisting of est of my knowledge, information, and belief.
Date	October 29, 2009	Signature	/s/ Charles P Toland Charles P Toland Debtor
Date	October 29, 2009	Signature	/s/ Karen Toland Karen Toland Joint Debtor

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 30 of 46

B7 (Official Form 7) (12/07)

## United States Bankruptcy Court Northern District of Illinois

	Charles P Toland		G N	
In re	Karen Toland		Case No.	
		Debtor(s)	Chapter	7
			•	•

#### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

## 1. Income from employment or operation of business

None

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE \$87,349.00 2007 wages \$94,181.00 2008 wages

#### 2. Income other than from employment or operation of business

None

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE **\$108.00 2007** interest

\$36,059.00 2007 pension withdrawal (#)

\$23.00 2008 dividends \$866.00 2008 tax refund

#### 3. Payments to creditors

None

Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts*. List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR Knights of Columbus	DATES OF PAYMENTS August, September and October 2009	AMOUNT PAID <b>\$965.00</b>	AMOUNT STILL OWING \$0.00
Chase Home Finance PO Box 78420 Phoenix, AZ 85062	August, September and October 2009	\$6,771.00	\$293,709.00
Harris, N.A. PO Box 6201 Carol Stream, IL 60197	August, September and October 2009	\$1,467.33	\$20,900.00
Nelnet Inc. PO Box 2970 Omaha, NE 68103	August, September and October 2009	\$682.00	\$12,069.00
Rock River Marina	September 2009	\$660.28	\$0.00
Harleysville Insurance	September 2009	\$694.00	\$0.00
Country Life Insurance	September 2009	\$619.45	\$0.00
ComEd	August, September and October 2009	\$758.05	\$0.00

None

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

		AMOUNT	
	DATES OF	PAID OR	
	PAYMENTS/	VALUE OF	AMOUNT STILL
NAME AND ADDRESS OF CREDITOR	TRANSFERS	TRANSFERS	OWING

#### Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 32 of 46

3

None

c. All debtors: List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND

AMOUNT STILL

RELATIONSHIP TO DEBTOR

DATE OF PAYMENT

AMOUNT PAID

OWING

4. Suits and administrative proceedings, executions, garnishments and attachments

None 

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER **Associated Bank** 

NATURE OF PROCEEDING

COURT OR AGENCY AND LOCATION

STATUS OR DISPOSITION

09 L 51166

Replevin

Cook County, IL

Pending

None

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED

DATE OF SEIZURE

DESCRIPTION AND VALUE OF

**PROPERTY** 

5. Repossessions, foreclosures and returns

None

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DATE OF REPOSSESSION.

FORECLOSURE SALE,

DESCRIPTION AND VALUE OF

TRANSFER OR RETURN **PROPERTY** 

6. Assignments and receiverships

None

NAME AND ADDRESS OF

CREDITOR OR SELLER

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DATE OF

NAME AND ADDRESS OF ASSIGNEE

ASSIGNMENT

TERMS OF ASSIGNMENT OR SETTLEMENT

None

NAME AND ADDRESS

OF CUSTODIAN

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND LOCATION

OF COURT

CASE TITLE & NUMBER

DATE OF **ORDER** 

DESCRIPTION AND VALUE OF

**PROPERTY** 

Software Copyright (c) 1996-2009 Best Case Solutions, Inc. - Evanston, IL - (800) 492-8037

## Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 33 of 46

7. Gifts

None

List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION RELATIONSHIP TO DEBTOR, IF ANY

DATE OF GIFT

DESCRIPTION AND VALUE OF GIFT

8. Losses

None

List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case.** (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS

DATE OF LOSS

4

#### 9. Payments related to debt counseling or bankruptcy

None

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS
OF PAYEE

Consumer Credit Counseling Service
of Atlanta

100 Edgewood Ave., Suite 1800 Atlanta, GA 30303

Querrey & Harrow, Ltd. 175 W. Jackson Boulevard, Suite 1600

Chicago, IL 60604

Querrey & Harrow, Ltd. 175 W. Jackson Boulevard, Ste 1600 Chicago, IL 60604 DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR

October 2009

October 2009

October 2009

AMOUNT OF MONEY
OR DESCRIPTION AND VALUE
OF PROPERTY

\$500.00

\$3,249.00

## 10. Other transfers

None

Kars 4 Kids

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR

DATE **9/5/09**  DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED

2003 Sea Doo Islandia deck boat 2003 Karavan SB-2241TW

\$14,000

8/6/09

1997 Dodge Ram Van (donation)

None b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER DEVICE

Olive and Daniel Farrell

DATE(S) OF TRANSFER(S) AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY

Software Copyright (c) 1996-2009 Best Case Solutions, Inc. - Evanston, IL - (800) 492-8037

#### 11. Closed financial accounts

None

Chase

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, NAME AND ADDRESS OF INSTITUTION AND AMOUNT OF FINAL BALANCE Checking (. . . 7844)

AMOUNT AND DATE OF SALE OR CLOSING

October 2009

South Division Credit Union Savings (... 9805)

October 2009

South Division Credit Union

Savings (...4014)

**April 2009** 

#### 12. Safe deposit boxes

None 

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY Standard Bank

NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY **Debtors** 

DESCRIPTION OF CONTENTS **Personal Papers**  DATE OF TRANSFER OR SURRENDER, IF ANY

#### 13. Setoffs

None

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATE OF SETOFF

AMOUNT OF SETOFF

#### 14. Property held for another person

None

List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER

DESCRIPTION AND VALUE OF PROPERTY

LOCATION OF PROPERTY

#### 15. Prior address of debtor

None

If the debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

DATES OF OCCUPANCY **ADDRESS** NAME USED

## Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 35 of 46

#### 16. Spouses and Former Spouses

None

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

#### 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

NAME AND ADDRESS OF DATE OF ENVIRONMENTAL SITE NAME AND ADDRESS GOVERNMENTAL UNIT NOTICE LAW

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous

Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

NAME AND ADDRESS OF DATE OF ENVIRONMENTAL SITE NAME AND ADDRESS GOVERNMENTAL UNIT NOTICE LAW

None c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DOCKET NUMBER STATUS OR DISPOSITION

6

#### 18. Nature, location and name of business

None

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

> LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO.

NAME (ITIN)/ COMPLETE EIN The Money Shop, Inc. 36-4239430

**ADDRESS** 7300 College Drive

Suite 104

Palos Heights, IL 60463

NATURE OF BUSINESS

**ENDING DATES** Mortgage brokers

1999 to present

**BEGINNING AND** 

7

None b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME **ADDRESS** 

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

#### 19. Books, records and financial statements

None

a. List all bookkeepers and accountants who within two years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS

DATES SERVICES RENDERED

None b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME

**ADDRESS** 

DATES SERVICES RENDERED

c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

**ADDRESS** NAME

None d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was

issued by the debtor within two years immediately preceding the commencement of this case.

NAME AND ADDRESS DATE ISSUED

8

#### 20. Inventories

None

a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY

(Specify cost, market or other basis)

None b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY

DATE OF INVENTORY

21. Current Partners, Officers, Directors and Shareholders

None .

a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS

NATURE OF INTEREST

PERCENTAGE OF INTEREST

None b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns,

controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS

TITLE

NATURE AND PERCENTAGE OF STOCK OWNERSHIP

22. Former partners, officers, directors and shareholders

None

a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME ADDRESS DATE OF WITHDRAWAL

None

b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS

TITLE

DATE OF TERMINATION

23. Withdrawals from a partnership or distributions by a corporation

None

If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS OF RECIPIENT, RELATIONSHIP TO DEBTOR

DATE AND PURPOSE OF WITHDRAWAL AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY

24. Tax Consolidation Group.

None

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

25. Pension Funds.

None

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

## DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date	October 29, 2009	Signature	/s/ Charles P Toland
	<del>.</del>		Charles P Toland
			Debtor
Date	October 29, 2009	Signature	/s/ Karen Toland
	·		Karen Toland
			Joint Debtor

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 39 of 46

B8 (Form 8) (12/08)

## United States Bankruptcy Court Northern District of Illinois

In re	Charles P Toland Karen Toland	Case No.	
	Debtor(s)	Chapter	_7
	CHAPTER 7 INDIVIDUAL DEBTOR'S STATEM	ENT OF INTEN	TION
PART	A - Debts secured by property of the estate. (Part A must be fully cor	mpleted for EACI	H debt which is secured by
	property of the estate. Attach additional pages if necessary.)		

Property No. 1			
Creditor's Name: Chase Home Finance		Describe Property Securing Debt: 1st mortgage 5570 Ann Marie Lane Oak Forest, IL 60452	
Property will be (check one):			
☐ Surrendered	■ Retained		
If retaining the property, I intend to (che ☐ Redeem the property ☐ Reaffirm the debt ☐ Other. Explain		oid lien using 11 U.S.C. § 522(f)).	
Property is (check one):			
■ Claimed as Exempt		☐ Not claimed as exempt	

# Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 40 of 46

B8 (Form 8) (12/08)			Page 2	
Property No. 2				
Creditor's Name: Harris, N.A.		Describe Property Securing Debt: 2009 Dodge Journey		
Property will be (check one): ☐ Surrendered	■ Retained			
If retaining the property, I intend to (check  ☐ Redeem the property  ☐ Reaffirm the debt ☐ Other. Explain		void lien using 11 U.S.C	C. § 522(f)).	
Property is (check one):  ■ Claimed as Exempt		☐ Not claimed as ex-	empt	
PART B - Personal property subject to une Attach additional pages if necessary.)	expired leases. (All three	ee columns of Part B mu	ast be completed for each unexpired lease.	
Property No. 1				
Lessor's Name: -NONE-	Describe Leased P	roperty:	Lease will be Assumed pursuant to 11 U.S.C. § 365(p)(2):  ☐ YES ☐ NO	
I declare under penalty of perjury that to personal property subject to an unexpirate October 29, 2009		/s/ Charles P Toland Charles P Toland Debtor	coperty of my estate securing a debt and/or	
Date October 29, 2009	Signature	/s/ Karen Toland Karen Toland Joint Debtor		

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 41 of 46 United States Bankruptcy Court

nted States	s Bankru	ptcy Cour
Northern	District of	Illinois

In 1	re.	Charles P Toland Karen Toland				Case No.		
		Tai on Tolana			Debtor(s)	Chapter	7	
		DISCI	LOSURE OF (	COMPENSATI	ON OF ATTO	RNEY FOR DI	EBTOR(S)	
1.	. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debt compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rebe rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:							
		For legal services, I	have agreed to acce	ept		\$	3,749.00	
		Prior to the filing of	f this statement I ha	ve received		\$	3,749.00	
		Balance Due				\$	0.00	
2.	The	e source of the compe	nsation paid to me	was:				
		■ Debtor □	Other (specify):					
3.	The	e source of compensat	tion to be paid to me	e is:				
		■ Debtor □	Other (specify):					
4.		I have not agreed to	share the above-dis-	closed compensation	with any other persor	n unless they are mem	bers and associates of	my law firm.
				sed compensation with ist of the names of the			or associates of my lanched.	w firm. A
5.	5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:				case, including:			
	b. c.	Preparation and filing	g of any petition, scl e debtor at the meeti	on, and rendering adv hedules, statement of ing of creditors and co	affairs and plan whic	h may be required;	file a petition in bankı urings thereof;	ruptcy;
6.	Ву	Representation					es, relief from stay	actions or
				CERT	TIFICATION			
this		ertify that the foregoin kruptcy proceeding.	ig is a complete stat	tement of any agreeme	ent or arrangement fo	r payment to me for re	epresentation of the de	btor(s) in
Date	ed:	October 29, 2009	)		/s/ Robert R. Bei	njamin		
					Robert R. Benjar	min 0170429		
					Querrey & Harro		600	
					Chicago, IL 6060	Boulevard, Suite 1	000	
						 Fax: (312)540-0578		
					rbeniamin@gue			

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

## NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

## 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

#### Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

## <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments

B 201 (12/08) Page 2

over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

## **Chapter 11:** Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

## 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

### **Certificate of Attorney**

X /s/ Robert R Benjamin

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

1100011111 2011Jullilli 0110120	11 707 NODOLUM DOMJAMM	• • • • • • • • • • • • • • • • • • •
Printed Name of Attorney	Signature of Attorney	Date
Address:		
175 W. Jackson Boulevard, Suite 1600		
Chicago, IL 60604		
(312)540-7000		
rbenjamin@querrey.com		
Cer	tificate of Debtor	
I (We), the debtor(s), affirm that I (we) have receive	ved and read this notice.	
Charles P Toland		
Karen Toland	X /s/ Charles P Toland	October 29, 2009
Printed Name(s) of Debtor(s)	Signature of Debtor	Date
Case No. (if known)	X /s/ Karen Toland	October 29, 2009
	Signature of Joint Debtor (if any)	Date
	-	

Robert R. Benjamin 0170429

October 29, 2009

Case 09-40961 Doc 1 Filed 10/29/09 Entered 10/29/09 19:25:02 Desc Main Document Page 44 of 46

## **United States Bankruptcy Court** Northern District of Illinois

In re	Charles P Toland Karen Toland		Case No.				
mic	Nation Folding	Debtor(s)	Chapter	7			
	V	ERIFICATION OF CRED	ITOR MATRIX				
		Nu	umber of Creditors:	17			
	(our) knowledge.	s) hereby verifies that the list	or creditors is true and	redirect to the best of my			
Date:	October 29, 2009	/s/ Charles P Toland	I				
		Charles P Toland					
		Signature of Debtor					
Date:	October 29, 2009	/s/ Karen Toland					
		Karen Toland					
		Signature of Debtor					

American Express Customer Service PO Box 981535 El Paso, TX 79998-1535

Associated Bank 1305 Main Street Stevens Point, WI 54481

Capital One PO Box 30285 Salt Lake City, UT 84130-0285

Cardmember Service PO Box 15298 Wilmington, DE 19850-5298

Chase Home Finance PO Box 78420 Phoenix, AZ 85062

Citi Cards P.O. Box 6000 The Lakes, NV 89163-6000

Discover Card P.O. Box 30421 Salt Lake City, UT 84130-0421

Exxon Mobile Processing Center Des Moines, IA 50361

Forrest Stuart Burki Burki's Home Improvements 1266 Winston Drive, Apt. 6 Edgerton, WI 53534

GE Money Bank Attn: Bankruptcy Department PO Box 103104 Roswell, GA 30076 Harris, N.A. PO Box 6201 Carol Stream, IL 60197

Harris, N.A. PO Box 6201 Carol Stream, IL 60197-6201

HFC Customer Service PO Box 3425 Buffalo, NY 14240-9733

HSBC Card Services PO Box 17313 Baltimore, MD 21297-1313

HSBC Card Services PO Box 80084 Salinas, CA 93912-0084

Internal Revenue Service Department of the Treasury PO Box 9012 Holtsville, NY 11742

Nelnet Inc. PO Box 2970 Omaha, NE 68103